IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 4566 of 1995

Between:

1 Koganti Satyavathamma, W/o Late Koteswara ao,
R/o Tenali Town, Guntur Dist.
2 Koganti Ankineedu Vara Prasad Alies Anka Babu, S/o Late Koteswara Rao,
R/o Tenali Town, Guntur Dist. **..... PETITIONER(S)**

AND

1 The District collector,
Guntur.
2 The Sub-collector & Land Acquisation officer,
Tenali, Guntur Dist.
3 The A.P.Industrial Infrastructure Corporation Ltd. rep.by its Chairman &

Managing Director,
Parishrama Bhavan, Basheerbagh, Hyderabad
(R3 is impleaded as per Court Order dated 03-09-2004 in WPMP 30460/1997)

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of a writ of Mandamus declaring the action of the respondents in acquiring the petitioners Lands measuring Ac.2-14 cents Covered by Survey No. 119/5-A, 119/5-B, 119/6-A 119/6-C & 119/7-A situated in Tenali Municipal Limits as illegal, improper and arbitrary and set aside the Notification published under section 4(1) of the Land Acquisation Act published in A.P. Gazette Part-I Extraordinary dated 9.3.94 by the Govt of A.P., in relation to Sy.No. 119-5-A, 119/5-B 119/6-A, 119/6-C and 119-7-A in Tenali Municipal Limits and pass

Counsel for the Petitioner:SMT.K.SESHARAJYAM

Counsel for Respondent Nos 1 & 2.: GP FOR LAND ACQUISITION

Counsel for the respondent No.3 : P.Ram Bhupal Reddy

The Court made the following :

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 4566 OF 1995

ORDER:

The present writ petition was filed questioning the action of the respondents in acquiring the lands of the petitioners measuring Ac.2-14 cents covered by Survey No. 119/5-A, 119/5-B, 119/6-A 119/6-C
& 119/7-A situated in Tenali Municipal Limits and for a consequential direction to set aside section 4 (1) notification dated 9-3-1994.

While admitting the writ petition, this Court granted interim direction by order dated 10-3-1995. The A.P. Industrial Infrastructure Corporation got itself impleaded to the present writ petition by order dated 3-9-2004.

Heard the learned counsel for petitioner, learned Government Pleader for Land Acquisition and learned Standing Counsel for third respondent Mr.R.Subba Rao.

Learned standing counsel for third respondent submitted that the third respondent is not interested in acquiring the subject land and has reviewed the matter and decided to defer the acquisition of the subject land and has produced a letter issued by the third respondent to the District Collector, vide Lr No.494/Lands/APIIC/89 dated 1-5-2003, the operative portion of which reads as under:

> " The Corporation has filed requisition for acquisition of Acs 4.59 cts in Sy No. 119 etc., at Tenali Mandal and village for expension of Industrial Estate with the Sub-Collector, Tenali during 1990. The requirement fo land for expansion of Industrial Estate has been reviewed by the Corporation and it is decided to defer the acquisition of the said land."

In view of the above, no further orders are required to be passed in the present writ petition. Recording the submission of the learned standing counsel for third respondent and letter dated 1-5-2003, the writ petition is closed. No costs.

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N.V.RAMANA,J

3-9-2004

TVK

To

1 The District collector,
Guntur.
2 The Sub-collector & Land Acquisation officer,
Tenali, Guntur Dist.
3 The A.P.Industrial Infrastructure Corporation Ltd. rep.by its Chairman &

Managing Director,
Parishrama Bhavan, Basheerbagh, Hyderabad
4 **2CCs to**

5. 2CD copies G.P. for Land Acquisition, High Court Bldgs, Hyd.

*Form-NIC-OGS/WP{**LOBIS**}*